

Message Text

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ACTION CU-04

INFO OCT-01 EA-09 ISO-00 L-03 USIA-15 HEW-06 PA-02 CIAE-00

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FM AMEMBASSY TOKYO

TO SECSTATE WASHDC PRIORITY 3761

UNCLAS TOKYO 17329

FOR CU/EA

E.O. 11652: N/A

TAGS: OEXC, JA

SUBJECT: REVISION OF 1968 EXCHANGE OF NOTES

REF: STATE 275072

EMBASSY RECEIVED TEXT OF DRAFT LETTER, PREPARED BY FOREIGN MINISTRY, TO EFFECT AMENDMENT OF 1968 EXCHANGE OF NOTES RE JOINT COMMITTEE. LETTER WOULD BE FROM AMBASSADOR TO FOREIGN MINISTER, TEXT FOLLOWS:

EXCELLENCY:

I HAVE THE HONOR TO REFER TO THE ARRANGEMENTS CONCERNING THE ESTABLISHMENT OF A JOINT COMMITTEE ON JAPAN-UNITED STATES CULTURAL AND EDUCATIONAL COOPERATION EFFECTED BY THE EXCHANGE OF NOTES DATED NOVEMBER 8, 1968 AND TO CONFIRM, ON BEHALF OF MY GOVERNMENT, THE UNDERSTANDINGS REACHED BETWEEN THE REPRESENTATIVES OF THE GOVERNMENT OF THE UNITED STATES AND THE GOVERNMENT OF JAPAN TO AMEND THE PROVISIONS OF THE SAID ARRANGEMENTS AS FOLLOWS:

1. PARAGRAPH 2, B. AND C. SHALL BE DELETED AND REPLACED BY THE FOLLOWING:

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"B. THE MEMBERS OF THE JAPAN PANEL AND THE

UNITED STATES PANEL SHALL BE DRAWN FROM THE
FIELDS MENTIONED BELOW SO AS TO REFLECT THE
DIVERSE COMPOSITION ON THE MEMBERSHIP. IN NO
EVENT SHALL THERE BE MORE THAN FOUR MEMBERS IN
EITHER NATIONAL PANEL FROM GOVERNMENT OFFICES:

- (1) GOVERNMENT OFFICES
- (2) FOUNDATIONS
- (3) ACADEMIC AND EDUCATIONAL CIRCLES
- (4) POLITICAL CIRCLES
- (5) BUSINESS CIRCLES
- (6) MASS MEDIA CIRCLES
- (7) ARTISTIC CIRCLES
- (8) EXPERTS ON AMERICAN STUDIES, IN CASE
OF JAPAN AND EXPERTS ON JAPANESE
STUDIES, IN CASE OF THE UNITED STATES

C. (DELETED)"

2. TO PARAGRAPH 2. D. (2) THE FOLLOWING SHALL BE
ADDED:

"APPOINTMENT AND REAPPOINTMENT TO AND TERMINATION
OF THE UNITED STATES PANEL MEMBERSHIP SHALL BE
SUBJECT TO THE CONSTITUTIONAL PROCESSES OF THE UNITED
STATES."

3. PARAGRAPH 3. A. SHALL BE DELETED AND REPLACED
BY THE FOLLOWING:

"AT LEAST SEVEN MEMBERS EACH FROM THE PANEL OF
THE RESPECTIVE SIDES SHALL MEET IN HAWAII OR IN ANY
OTHER LOCATION TO BE AGREED UPON BETWEEN THE TWO
PANELS IN THE YEAR JAPAN-UNITED STATES CULTURAL AND
EDUCATIONAL CONFERENCE IS NOT HELD."

I SHOULD BE GRATEFUL IN YOUR EXCELLENCY WOULD
CONFIRM THE FOREGOING UNDERSTANDING ON BEHALF OF
THE GOVERNMENT OF JAPAN.

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I AVAIL MYSELF OF THIS OPPORTUNITY TO RENEW
TO YOUR EXCELLENCY THE ASSURANCES OF MY HIGHEST
CONSIDERATION GM

(JAPANESE NOTE)

EXCELLENCY:

I HAVE THE NONOR TO ACKNOWLEDGE THE RECEIPT
OF YOUR EXCELLENCY'S NOTE OF TODAY'S DATE, WHICH
READS AS FOLLOWS:

(U.S. NOTE)

I HAVE FURTHER THE HONOR TO CONFIRM ON BEHALF
OF THE GOVERNMENT OF JAPAN THE UNDERSTANDINGS SET
FORTH IN YOUR EXCELLENCY'S NOTE.

I AVAIL MYSELF OF THIS OPPORTUNITY TO EXTEND TO
YOUR EXCELLENCY THE ASSURANCE OF MY HIGHEST
CONSIDERATION.

LETTER WOULD BE ACKNOWLEDGED AND UNDERSTANDINGS
CONFIRMED BY RETURN NOTE FROM FOREIGN MINISTER.
KAYS AND MCDONALD FULLY DISCUSSED DRAFT LETTER AND
REFTEL CONTENT WITH MATSUMURA. VIEWS OF FOREIGN
MINISTRY MAY BE SUMMARIZED AS FOLLOWS:
MOFA PREFERS DELETE ALL REFERENCE TO CULCON AS
DESCRIBED REFTTEL PARRAS & (A) (1) AND (2). 1968
EXCHANGE OF NOTES REFERS ONLY TO "RESOLUTION
ADOPTED AT 4TH JAPAN-UNITED STATES CULTURAL AND
EDUCATIONAL CONFERENCE" AND HOWHERE DESCRIBES WHAT
CULCON'S GENESIS AND ROLE IS. ADMITTEDLY CULCON IS
SENIOR, OR PARENT BODY, BUT IT HAS EXISTED FOR
FIFTEEN YEARS AND ESTABLISHED ITSELF AS INSTITUTION
THROUGH NATURAL GROWTH. BOTH GOVERNMENTS UNDERSTAND
JOINT COMMITTEE IS "INSTRUMENT OF CULCON" AND
THAT IN PRACTICE CULCON DELEGATIONS ARE MADE UP
LARGELY OF MEMBERS OF TWO PANELS DESCRIBED IN
EXCHANGE OF NOTES. MOFA REALIZES HOWEVER THAT
TECHNICALLY THEY COULD BE DIFFERENT.
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MOFA ALSO CANNOT IONCUR IN PROPOSED INFORMAL MILLER-
NISHIMIYA LETTER. ALL ITEMS IN PROPOSED LETTER
CAN EASILY BE ACCOMMODATED THROUGH UNDERSTANDINGS OR
AGREEMENTS BETWEEN TWO DELEGATIONS AT BIENNIEL
CULCONS. HOWEVER, IF DEPARTMENT FEELS STRONGLY
THAT, BECAUSE OF RAMIFICATIONS OF ESTABLISHMENT OF
JAPAN-U.S. FRIENDSHIP COMMISSION, OR FOR OTHER URGENT
REASON, CULCON ROLE AND STATUS MUST BE THOROUGHLY
CLARIFIED IN LEGAL FORMAT ONCE AND FOR ALL, THEN
MOFA WOULD (RELUCTANTLY) AGREE TO PROCEED WITH
TASK
OF PREPARING NEW EXCHANGE OF NOTES,
"DISMANTLING" (MATSUMURA'S WORD) 1968
EXCHCHANGE OR INCORPORATING IN NEW NOTES.

COMMENT: RELUCTANCE APPARENTLY STEMS FROM FACT
THAT THIS NEW EXCHANGE WOULD REQUIRE ENORMOUS
EXPENDITURE OF TIME AND STAFF WORK TO PREPARE FOR
CABINET AND DIET APPROVAL. IMMEDIATE NEEDS CAN BE
MET BY FOREGOING DRAFT, AND MOFA DOES NOT AT
PRESENT SEE URGENCY OF NEW EXCHANGE OF
NOTES.

MCDONALD PREPARED TO DISCUSS FULLY WITH CU/EA,
DECEMBER 1.
HODGSON

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